

Application No.: 10/772,899
Filing Date: February 5, 2004
Docket No.: PC20008A

REMARKS

Applicants thank the Examiner for withdrawing the previous Office Action.

Claims 22-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niwa (5,613,779) in view of a Leung et al. (6,596,298) or Robertson (6,516,950) and Baggett (4,811,845). Applicants traverse each and every rejection.

Claims 21 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over the references as applied to claim 22 above, and further in view of Batchelor (4,889,238) or Romick (3,826,222). Applicants traverse each and every rejection.

The Office Action contends that Baggett discloses a plurality of substantially identical packets for holding medication. However, Applicants submit that Baggett does not disclose such packets. The 'containers' (as they are referred to in the reference) in Baggett are not substantially identical since they are distinct and different from each other. In particular, the containers indicate different times, days and/or medications. Additionally they are required to be situated in a container in a distinct and appropriate order. As such, Applicants submit that the combined references do not teach or suggest each and every element of the claimed embodiments of the Applicants' invention. Applicants note that all of the current rejections rely on Baggett. Since all of the rejections rely on Baggett, Applicants respectfully submit that removal of all of the rejections is appropriate.

Claims 21-34 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 6,708,826). Applicants traverse each and every rejection. Upon an indication of a notice of allowance, Applicants would consider filing a terminal disclaimer to overcome this rejection.

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In view of the present Amendment and Response, Applicants respectfully request favorable reconsideration.

Should the Examiner have any questions or comments concerning the above, the Examiner is respectfully invited to contact the undersigned attorney at the number listed below.

Date

Respectfully submitted,



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